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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/344,411 06/26/99 CORPUS

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IM22/1105

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EXAMINER

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CLEVELAND OH 44114

CHEVALIER, A

ART UNIT

PAPER NUMBER

1772

18

DATE MAILED:

11/05/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary	Application No.	Applicant(s)	
	09/344,411	CORPUS ET AL.	
	Examiner	Art Unit	
	Alicia Chevalier	1772	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 August 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,5-15 and 17-39 is/are pending in the application.
- 4a) Of the above claim(s) 19-37 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,5-15, 17, 18, 38 and 39 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____ |

RESPONSE TO AMENDMENT

Continued Prosecution Application

1. The request filed on August 17, 20001 for a Continued Prosecution Application (CPA) under 37 CFR 1.53(d) based on parent Application No. 09/344,411 is acceptable and a CPA has been established. An action on the CPA follows.
2. Claims 19-37 are withdrawn from consideration because they are drawn to a non-elected invention.

WITHDRAWN REJECTIONS

3. The 35 U.S.C. §102 rejection of claims 1, 2, 6-12, 14, and 17 as anticipated by Cleef (2,248,317) of record in paper #7, pages 5-6, paragraph #6 have been withdrawn due to Applicant's amendment in paper #13.
4. The 35 U.S.C. §102 rejection of claims 1, 2, 6, 7, 10, 13, and 17 as anticipated by Bowskill (4,795,669) of record in paper #7, page 6, paragraph #7 have been withdrawn due to Applicant's amendment in paper #13.
5. The 35 U.S.C. §102 rejection of claim 8 as anticipated by Cleef (2,248,317) of record in paper #11, page 3, paragraph #7 have been withdrawn due to Applicant's amendment in paper #13.

6. The 35 U.S.C. §102 rejection of claims 38 and 39 as anticipated by Cleef (2,248,317) of record in paper #11, pages 3-4, paragraph #8 have been withdrawn due to Applicant's amendment in paper #13.
7. The 35 U.S.C. §102 rejection of claims 1, 2, 3, 7, 10, 17, and 18 as anticipated by Bloomer (5,597,634) of record in paper #11, page 4, paragraph #9 have been withdrawn due to Applicant's amendment in paper #13.
8. The 35 U.S.C. §102 rejection of claims 1, 2, 5-9, and 17 as anticipated by Forman (5,712,012) of record in paper #11, page 4, paragraph #10 have been withdrawn due to Applicant's amendment in paper #13.
9. The 35 U.S.C. §103 rejection of claim 15 as anticipated by Bowskill (4,795,669) of record in paper #11, pages 4-5, paragraph #11 have been withdrawn due to Applicant's amendment in paper #13.

NEW REJECTIONS

10. **The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.**

Claim Objections

11. Claim 6 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the

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claim(s) in independent form. Claim 6 recites that the leaf adhesive is “peelably removable” and newly amended claim 1 also claims that the leaf adhesive “removably adheres.”

Claim Rejections - 35 USC § 102

12. Claims 1, 2, 5, 6, 7, 9, 17, 18, 38, and 39 rejected under 35 U.S.C. 102(b) as being anticipated by Griffin et al. (4,696,706).

Griffin et al. discloses a stack of adhesive symbols comprising a plurality of process logic symbols (leaves) and a dispenser board (base leaf). Each logic symbol comprises a non-adhesive top surface and bottom surface with a layer of adhesive. The adhesive (removable adhesive) on the logic symbol is strong enough to secure any symbol to an object and yet let the logic symbol be removed without damage to the object. The dispenser board comprises a non-adhesive top surface and a bottom surface with a layer of adhesive. The adhesive (mounting adhesive) on the dispenser board is use for mounting the board on a wall or any smooth surface. A protective layer is added to the dispenser board adhesive to prevent the board from being prematurely or accidentally attached to an object. From the figures it can be seen that the dispenser board has a thickness greater then the logic symbols. See column 4, line 17 through col. 5, line 64 and the figures.

Claim Rejections - 35 USC § 103

13. Claims 8, 10, 11, and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Griffin et al. (4,696,706) in view of Cleef (2,248,317).

Griffin et al. discloses all the limitations of the instant claimed invention except for the leaves having an active agent and peeling means.

Cleef discloses a sticker packet comprising a plurality or set of superposed stickers. The stickers are adapted when stripped apart or separated from one another to be stuck to any selected surface of object and, depending upon their shape, serve as articles of utility or ornamentation. The stickers are thin and flexible and are secured together in packet form by means of facings of permanently tacky pressure-sensitive adhesive (col. 2, lines 2-10). The stickers are made of base material of paper or like material. The stickers are provided with a thin coating of shellac, varnish, lacquer, or ethyl cellulose in order to prevent the permanently tacky pressure-sensitive adhesive from sticking too tightly (col. 2, lines 19-32). As shown in figure 1, the stickers are provided with integral outwardly projecting tabs (col. 3, lines 4-6).

It would have been obvious to one of ordinary skill the art at the time the invention was made to add a thin coating of shellac, etc as taught by Cleef to the logic symbol of Griffin because the coating would help prevent the stacked symbols from sticking to each other. It also would have been obvious to add a tab as taught by Cleef to the logic symbol of Griffin because it would help facilitate separation between the stacked symbols.

14. Claims ¹³⁻¹⁵~~13-14~~ are rejected under 35 U.S.C. 103(a) as being unpatentable over Griffin et al. (4,696,706) in view of Cleef (2,248,317) as applied to claims 8, 10, 11, and 12 above, and further in view of Bowskill et al. (4,795,669).

Griffin et al. and Cleef disclose all the limitations of the instant claimed invention except for the tabs comprising adhesive.

Bowskill discloses a disposable protective shield for a handle or illumination device comprising a stack of shields, each shield comprises a relatively-thin flexible sheet made from any suitable material such as a plastic type of "crepe paper". The sheet further has a top surface pr side and an underside and a band of adhesive on the underside of each sheet around the perimeter thereof. (Col. 4, lines 18-32) The shield may also be provided with a flap (tab). The bottom of the flap may be coated entirely with a suitable adhesive. (Col. 4, lines 57-68)

It would have been obvious to one of ordinary skill in the art to add an adhesive to the tab of Cleef as taught by Bowskill because it would prevent the tab from prematurely coming up. Also, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have adhesive on both sides of the tab, since it has been held that rearranging parts of an invention involves only routine skill in the art. *In re Japikse*, 86 USPQ 70.

ANSWERS TO APPLICANT'S ARGUMENTS

15. Applicant's arguments filed in paper #13 regarding the 35 U.S.C. §102 and §103 rejections previously of record have been carefully considered but are moot since the rejections have been withdrawn.

Conclusion

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alicia Chevalier whose telephone number is (703) 305-1139. The Examiner can normally be reached on Monday through Thursday from 8:00 a.m. to 5:00 p.m. The Examiner can also be reached on alternate Fridays


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If attempts to reach the Examiner are unsuccessful, the Examiner's supervisor, Blaine Copenheaver can be reached by dialing (703) 308-1261. The fax phone number for the organization official non-final papers is (703) 305-5436. The fax number for after final papers is (703) 305-3599.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose phone number is (703) 308-0661.

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